

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

KENNETH C. GEIGER,	)	
	)	
Plaintiff,	)	4:09CV3103
	)	
v.	)	
	)	
UNION PACIFIC RAILROAD	)	AMENDED PROGRESSION ORDER
COMPANY, a Delaware corporation,	)	
	)	
Defendant.	)	
	)	

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The joint motions for a 120-day continuance of the progression schedule, (filing nos. 20 and 22), are granted, and the progression schedule is amended as follows:

- a. A jury trial is set to commence on February 28, 2011. No more than five days are allocated to the trial of this case and counsel shall plan accordingly. This case is subject to the prior trial of criminal cases and such other civil cases as may be scheduled for trial before this one.
- b. The pretrial conference will be held before the undersigned magistrate judge on February 17, 2011 at 10:00 a.m. One- half hour is allocated to this conference. Counsel shall email a draft pretrial conference order to [zwart@ned.uscourts.gov](mailto:zwart@ned.uscourts.gov), in either MS Word or WordPerfect format, by 5:00 p.m. on February 16, 2011, and the draft order shall conform to the requirements of the local rules.
- c. The deadline for disclosure of experts and, unless otherwise agreed, the deadline for the provision of expert reports is October 15, 2010.
- d. The discovery and deposition deadline is November 5, 2010. Motions to compel discovery must be filed at least 15 days prior to the discovery and deposition deadline.

- f. The deadline for filing motions to dismiss, motions for summary judgment or motions to exclude expert testimony on *Daubert* and related grounds is November 15, 2010.
- g. Motions in limine shall be filed five business days prior to trial. It is not the normal practice to hold hearings on motions in limine or to rule on them in advance. Counsel should plan accordingly.
- h. The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.

Dated this 8<sup>th</sup> day of July, 2010.

BY THE COURT:

s/ Cheryl R. Zwart  
Cheryl R. Zwart  
United States Magistrate Judge